

EXHIBIT G

From: [Emily Cronin](#)
To: [Kenney, Chad \(DC\)](#); [#C-M OPENAI COPYRIGHT LITIGATION - LW TEAM](#)
Cc: [NYT-AI-SG-Service@simplelists.susmangodfrey.com](#); [KVPOAI@keker.com](#); [OpenAICopyright@mofo.com](#)
Subject: Re: NYT v. Microsoft, et al. - SDNY Case No 1:23-cv-11195-SHS
Date: Wednesday, May 15, 2024 5:25:35 PM

Counsel,

Thank you for the meet and confer yesterday. To recap:

- For category A (Nos 2, 7, 20, 21, 23):
 - OpenAI asked if The Times will agree to flag in advance of privilege logs if it plans to categorically withhold on privilege/work product grounds documents relating to outputs that weren't cited in the complaint but that relate to the process for obtaining the outputs in the complaint. We'll get back to you on this soon.
 - The parties are at an impasse on Nos. 7 and 21.
- For categories B & C (reporters' privilege and common interest):
 - I reiterated The Times's agreement to notify OpenAI if issues regarding the reporters' privilege affects The Times's willingness to search for and review any category of documents.
 - OpenAI asked if The Times will flag in advance of privilege logs if it plans to categorically withhold responsive documents on the basis of a common interest agreement. We'll get back to you on this soon.
- For category D (Nos. 4-6), the parties are at an impasse.
- For category E (Nos. 8-12):
 - OpenAI asked that The Times agree to reciprocally drop The Times's RFP against OAI regarding complaints of copyright or trademark infringement. I emphasized that the The Times's relevance objections aren't the same, so this was unlikely, but we'd confirm.
 - For request Nos. 10-12, OpenAI asked if The Times would be willing to produce the underlying reporter's notes, interview memos, records of materials cited, or other "files" for each asserted work. The Times is not willing to produce this material and stands on its objections.
- For category F (Nos. 13-15), OpenAI asked whether The Times's agreement to produce agreements relating to authorship in response to No. 15 will include, if applicable, employment agreements to the extent that other agreements don't prove authorship or The Times's ownership of the asserted work. We'll get back to you on this soon.
- For category G (No. 24), OpenAI asked if The Times is willing to propose a way to limit this request. We'll get back to you on this soon. In the meantime, please also suggest a narrower version of this RFP for The Times to consider.
- For category H (Nos. 33, 43):
 - OpenAI asked The Times to confirm whether it is planning to produce

portions of key terms of relevant licenses or whether it will produce the entire underlying licenses (with possibly redactions if applicable). We'll get back to you on this soon.

- OpenAI said it may revert with a different proposed date cutoff.
- For category I (Nos. 50-51), the parties are at an impasse.
- For category J (Nos. 54-55), OpenAI asked if The Times would agree to produce licensing agreements relating to these corpora. We'll get back to you on this soon.
- For category K (responses with potential for narrowing scope):
 - No. 18 – OpenAI offered to limit this request to agreements to reproduce asserted works. We'll get back to you on this soon.
 - No. 30 – OpenAI explained that this request is seeking documents showing page views in the first 14 days, which is more granular than RFP No. 29 (page views for each month). We'll let OpenAI know if we are standing on our responses/objections or if there is a subset of responsive documents we can produce soon.
 - Nos. 35 & 37 – OpenAI agreed to try narrowing these two requests. The Times will consider what they propose.
 - No. 42 – OpenAI agreed to propose alternative methods of getting this information through discovery. The Times will consider what they propose.
 - No. 45 – OpenAI explained that the goal of this request is to discover any other ways The Times is/was planning to use generative AI. If OpenAI proposes a narrower version of this request, The Times will consider it.

Thanks,
Emily

Emily Cronin Stillman | Susman Godfrey LLP

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From: "Chad.Kenney@lw.com" <Chad.Kenney@lw.com>

Date: Friday, May 10, 2024 at 11:05 AM

To: Emily Cronin Stillman <ECronin@susmangodfrey.com>, "NYT-AI-SG-Service@simplelists.susmangodfrey.com" <NYT-AI-SG-Service@simplelists.susmangodfrey.com>

Cc: "openaicopyrightlitigation.lwteam@lw.com" <openaicopyrightlitigation.lwteam@lw.com>,

"OpenAICopyright@mofo.com" <OpenAICopyright@mofo.com>, "KVPOAI@keker.com" <KVPOAI@keker.com>

Subject: RE: NYT v. Microsoft, et al. - SDNY Case No 1:23-cv-11195-SHS

EXTERNAL Email

Thanks, Emily. I just sent an invite for 2:30 ET on Tuesday.

Best,
Chad

Chad Kenney

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From: Emily Cronin <ECronin@susmangodfrey.com>

Sent: Thursday, May 9, 2024 9:37 PM

To: Kenney, Chad (DC) <Chad.Kenney@lw.com>; NYT-AI-SG-Service@simplelists.susmangodfrey.com

Cc: #C-M OPENAI COPYRIGHT LITIGATION - LW TEAM <openaicopyrightlitigation.lwteam@lw.com>; OpenAICopyright@mofo.com; KVPOAI@keker.com

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Chad,

We're available Tuesday after 2pm ET. We'll respond to the specific issues you raise before then.

Best,
Emily

Emily Cronin Stillman | Susman Godfrey LLP

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From: <NYT-AI-SG-Service@simplelists.susmangodfrey.com> on behalf of "Chad.Kenney at lw.com (via NYT-AI-SG-Service list)" <NYT-AI-SG-Service@simplelists.susmangodfrey.com>

Reply-To: "Chad.Kenney@lw.com" <Chad.Kenney@lw.com>

Date: Thursday, May 9, 2024 at 5:23 PM

To: "NYT-AI-SG-Service@simplelists.susmangodfrey.com" <NYT-AI-SG-Service@simplelists.susmangodfrey.com>

Cc: "openaicopyrightlitigation.lwteam@lw.com" <openaicopyrightlitigation.lwteam@lw.com>, "OpenAICopyright@mofo.com" <OpenAICopyright@mofo.com>, "KVPOAI@keker.com" <KVPOAI@keker.com>

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EXTERNAL Email

Counsel,

We have not heard back regarding this request. Please provide your availability for next Monday. If Monday is not available, please provide your availability for Tuesday or Wednesday. We are particularly concerned about Plaintiff's recalcitrance regarding the following requests:

1. Request Nos. 2, 7, 20, 21, and 23 (Regurgitation Prompting)
2. Plaintiff's blanket assertion of the reporter's privilege in response to Request Nos. 1, 3, 7, 10, 11, 12, 16, 17, 22, 24, 47, 48, 49, 50, 56
3. Request Nos. 13–15 (Ownership and Registration of Asserted Works)
4. Request Nos. 50 and 51 (Plaintiff's AI Tools)

Similarly, we also have not heard back regarding a deadline for Plaintiff's substantial completion of production of documents in response to this First Set of Requests for Production. Please let us know whether you will agree to a deadline of June 24th.

If we have not resolved our disputes regarding these issues by Wednesday, we will be moving to compel.

Best,
Chad

Chad Kenney

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From: Kenney, Chad (DC)

Sent: Tuesday, May 7, 2024 8:36 PM

To: 'NYT-AI-SG-Service@simplelists.susmangodfrey.com' <NYT-AI-SG-Service@simplelists.susmangodfrey.com>

Cc: #C-M OPENAI COPYRIGHT LITIGATION - LW TEAM <openaicopyrightlitigation.lwteam@lw.com>; OpenAICopyright <OpenAICopyright@mofo.com>; KVP-OAI <KVPOAI@keker.com>

Subject: NYT v. Microsoft, et al. - SDNY Case No 1:23-cv-11195-SHS

Counsel,

Please see the attached letter regarding OpenAI's First Set of Requests for Production.

Please provide your availability on Monday May 13th to meet and confer regarding these issues.

Best,
Chad

Chad Kenney

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